

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA and  
STATE OF WISCONSIN,

Plaintiffs,

v.

Case No. 10-C-910

NCR CORP. and APPLETON PAPERS INC. et al.,

Defendant.

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**NOTICE OF TELEPHONE PRETRIAL CONFERENCE**

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The Court will conduct a telephone pretrial conference in the above matter on November 16, 2012 at 2:30 p.m. The parties should be prepared to address the following issues:

- 1) **Participants at the upcoming trial.** Which parties and attorneys intend to actively participate in the up-coming trial? How should the courtroom be arranged?
- 2) **Exhibits.** The Clerk has suggested that all exhibits to be used at trial be in PDF format and displayed in electronic format. No paper exhibits would be offered at trial, but the offering party should be prepared to offer a paper copy of an exhibit to the Court, if requested. The parties would provide the court reporter and clerk with copies of DVDs containing all of their exhibits prior to trial. If the parties have any stipulated or agreed upon exhibits, they are to furnish the clerk with a list of those prior to the start of trial each day. The parties can then move for entry of those exhibits before the start of testimony and furnish the Clerk with a list of exhibits that are in dispute. At the close of trial, all exhibits would be placed on a DVD in PDF format with each exhibit in 10 MB increments. If the exhibit is large it will have to be broken down to 10 MB or less because that is the requirement of the Court of Appeals. The parties are to provide the Court with a signed certification that all exhibits contained on the DVD are the original exhibits that were received into evidence by the Court. The certification must accompany the DVD with the exhibits and exhibit list in PDF format.

- 3) **Technology set up.** The Court will assign a day when the parties will be able to set up the technology they will need to present their case.
- 4) **Trial calendar.** How much time is needed? The Court has an important meeting scheduled in Washington, D.C., on December 6 and 7, 2012, and will discuss the possibility of either recessing for those days or starting the trial the next week. This, as well as other matters, may depend on the resolution of the pending summary judgment motions, which the Court intends to decide as soon as possible. Because the reply brief on one of the motions is due on November 15, 2012, it is not likely that all of the motions will be decided by that date, and an additional pretrial conference may be necessary on the afternoon of November 26, 2012. This may obviate any need for a further conference on November 30, 2012, as currently scheduled.
- 5) Other matters as they may appear.

The Clerk will provide instructions as to how to join the conference.

Dated this 30th day of October, 2012.

s/ William C. Griesbach  
William C. Griesbach  
United States District Judge